

Superfund Program Implementation Manual FY 08/09

Chapter III: Program Planning and Reporting Requirements

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Chapter III: Program Planning and Reporting Requirements

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**Chapter III:
Program Planning and Reporting Requirements**

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CHAPTER III: PROGRAM PLANNING AND REPORTING REQUIREMENTS

III.A. INTRODUCTION

The Government Performance and Results Act (GPRA) provides a general structure within which the Agency plans its activities. Under this framework, the Agency develops strategic plans, annual performance goals and other measures, and national program offices develop planning and tracking mechanisms and conduct program evaluations to ensure the Agency meets these goals effectively and efficiently. The Office of Superfund Remediation and Technology Innovation (OSRTI), the Office of Site Remediation Enforcement (OSRE), the Federal Facilities Enforcement Office (FFEO), the Office of Emergency Management (OEM) and the Federal Facilities Restoration and Reuse Office (FFRRO) are responsible for overall program planning and reporting on Superfund program accomplishments.

This chapter generally describes the Agency performance measurement approach, and, more specifically, the Superfund program's processes for planning and tracking progress. The first four sections of this chapter describe performance goals and measures, introduce CERCLIS planning and accomplishment data, outline the planning and reporting cycle, and describe headquarters and regional responsibilities for planning, tracking and evaluating accomplishments. The next three sections of this chapter provide information on database tracking tools, reports, and procedures that regions and headquarters use to manage performance. The final sections describe special reporting topics, and provide lists of headquarters and regional contacts responsible for planning and accomplishment data.

III.B. PERFORMANCE GOALS AND MEASURES

The Government Performance and Results Act (GPRA) of 1993 established a general framework for government accountability through the use of strategic planning. GPRA's statutory purpose is to forge links between several activities:

- Planning, to achieve goals and objectives;
- Budgeting, to ensure that resources are available to carry out plans;
- Measuring, to assess progress and link resources actually used to results achieved; and
- Reporting, to present progress achieved and impacts on future efforts.

GPRA requires federal agencies to develop the following public documents:

- A five-year Strategic Plan, which includes a mission statement and sets out long-term goals and objectives;
- Annual Performance Plans, which provide annual performance commitments toward achieving the goals and objectives presented in the Strategic Plan; and
- Annual Performance Reports, which evaluate an agency's progress toward achieving performance commitments.

EPA's Strategic Plan is the foundation of the Agency's planning and budgeting process. The Strategic Plan is a five-year plan (revised every three years) that outlines the Agency's mission, establishes quantifiable goals and objectives, and describes the means and strategies EPA programs will employ to accomplish specific desired environmental results. The Strategic Plan is organized in several Goals, roughly corresponding to environmental media. Within each Goal, desired results are further broken down into Objectives and Subobjectives, which roughly correspond to discrete EPA programs. Within each Objective/Subobjective, several performance measures are described, and for each performance measure, a five-year target is set. These cumulative targets are called "Strategic Targets."

EPA's Annual Performance Plan defines the annual budget's goals and objectives in greater detail by linking the annual budget to the Strategic Plan. The Annual Plan sets annual targets for each performance measure in the Strategic Plan. The Annual Targets are calculated to ensure the successful accomplishment of each five-year cumulative Strategic Target set by the Strategic Plan.

To facilitate the development of these Annual Targets by each EPA program, the Office of the Chief Financial Officer (OCFO) uses the "Annual Commitment System" (ACS), a subsystem of the Agency's Budget Automated System (BAS). ACS is used by headquarters and regional program managers for negotiating and agreeing upon annual regional performance commitments. It also tracks actual performance data against agreed-upon regional performance commitments. OCFO provides annual guidance for when regions must enter data into the system, the negotiating time period, and the date by which commitments are finalized.

In addition to these goals and measures, each national program office may have internal measures of its own to track program progress and regional performance that are more detailed than the public annual performance measures.

Each year in November, the Agency is required to submit to the President and Congress an annual performance report that summarizes the program performance for the fiscal year just ended. OCFO publishes the Performance and Accountability Report (PAR) based on information provided by OSWER, OECA, and other EPA offices. Specifically, the (PAR):

- Reviews the success of achieving the program's objectives and subobjectives during the fiscal year;
- Evaluates the annual performance plan for the current fiscal year relative to the performance achieved toward the performance objective and subobjective in the fiscal year covered by the report; and
- Explains and describes where a performance objective/subobjective has not been met, why it was not met, and plans and schedules for achieving the objective/subobjective.

III.C. CERCLIS PLANNING AND ACCOMPLISHMENT DATA

Within the Superfund Program, accomplishments of annual performance goals and other program measures are principally tracked through the CERCLIS database. CERCLIS is the Superfund program's primary repository of program planning and accomplishment data, including resource planning estimates and program targets and measures. CERCLIS contains removal, site assessment, remedial, Federal facility, and enforcement program data. SCAP (Superfund Comprehensive Accomplishments Plan) reports provide summary and detail information on site progress, target and measure accomplishments, and resource planning and use.

It is essential that planning and accomplishment data in CERCLIS remain current and up-to-date throughout the year and accomplishments be reported as they occur. [The OSRTL, OSRE and OEM programs expect that their planning data will be reviewed and corrected on a monthly schedule.](#) Regions are responsible for the quality of data in CERCLIS, and headquarters will only recognize targets and accomplishments correctly reported in CERCLIS. Regions should perform data quality checks and make adjustments to CERCLIS if the database does not reflect accurate targets or actual accomplishments. A region that believes it has correctly recorded a target or accomplishment that is not showing on the appropriate CERCLIS report should contact the appropriate headquarters office.

All activities at NPL sites should be planned out through the deletion date as early as possible. By the time of the completion of a ROD, a site should have all the planned dates entered into CERCLIS. As conditions change, that dates should be updated accordingly. Changes in planning information (schedule and funds) should be entered into CERCLIS within five working days after the data owner (e.g., Remedial Project Manager [RPM]/On-Scene Coordinator [OSC]/Site Assessment Manager [SAM]) is aware of the need for the change. Site schedule and financial planning information should be reviewed and updated on an ongoing basis (at a minimum on a monthly basis).

Regions should enter accomplishments data into CERCLIS within five working days of the action occurring except when otherwise noted in the Timeliness tables (see Appendices of this manual). Headquarters pulls accomplishment data associated with targets/measures from CERCLIS at the close of business of the fifth working day of the quarter. Therefore, while regions should update their accomplishments data continuously, they must update quarterly data prior to the fifth working day pull date.

EPA managers, other agencies, and the public continually request accomplishment, budget and site-specific data from the program on a quick turnaround basis. Data need to be consistent and timely to minimize/avoid confusion with data provided in prior data requests or by more than one entity. With the advent of new database customizable reporting tools that make “real time” data available quickly, the program is challenged to find a means to provide consistent information to the public. Protocols to standardize public reporting of Superfund accomplishment and financial data have yet to be developed.

III.D. THE PLANNING AND REPORTING CYCLE

The Superfund planning and reporting process is roughly a 16-month cycle begins in July of the planning year and ends with final accomplishment reporting that occurs after the completion of the fiscal implementation year.

III.D.1. Planning

a. May/June

In May or June, headquarters issues a *Superfund Remedial and Enforcement Workplanning* memorandum that outlines the process and the procedures for the upcoming workplanning sessions. Workplanning sessions allow headquarters to communicate program activities and develop initial funding plans to prepare for the upcoming fiscal year. The workplanning memorandum includes the schedule, scope and areas of emphasis for developing the upcoming year’s targets and budgets. The Brownfields, Oil Response, Removal and Federal Facilities programs conduct separate workplanning sessions.

The region's focus in workplanning should be on its individual pipeline (e.g., more site assessments or more construction completion oriented), the overall goals and priorities of the program including GPRA objectives and sub-objectives, and how it can achieve its portion of the national effort given proposed resources. Headquarters compares regional plans with program goals and resource allocations. In addition, headquarters reviews past regional accomplishments, historical obligation trends, and planned durations/dollars to ensure that the region is planning the appropriate amount of work given the dollars it is requesting. This provides headquarters with a benchmark going into workplanning on what the region should be able to accomplish based on its unique pipeline status.

b. July/August

On the fifth working day of July, headquarters pulls planning data for the next two fiscal years from CERCLIS. Headquarters program offices review Remedial, Federal Facilities, and Enforcement program target and accomplishment data preparation for workplanning meetings with regions. Data include projections of activities that will be undertaken, site- and non-site-specifically, annual performance goal and other internal program measure targets that will be achieved, and planned resources (appropriated and reimbursable) for the expected work.

During July and August, headquarters and regions meet in workplanning sessions to establish regional targets and refine cost planning estimates for the upcoming fiscal year. For the Remedial Program in particular, OSRTI and OSRE will analyze CERCLIS planned obligation data as part of refining the cost estimating process in anticipation of the upcoming fiscal year’s budget. Regions should not set or accept targets that require completion of activities that cannot be funded or staffed within the resources it expects to receive in its allocation.

III.D.2. Reporting**a. November/December**

In November/December of the new fiscal year, headquarters meets with the regional division directors to discuss the new year's region-specific commitments and allocation of regional funds based on the national annual program performance goals. OSRTI issues preliminary ongoing construction funding plans to the regions and Pipeline Operations Site Allowance resource allocations, and FFRRO issues a memo that outlines regional commitments and allocation of funds. OSRE allocates the initial operating budget for technical enforcement for the upcoming fiscal year based on each region's share of the usage rate for enforcement activities. Legal enforcement funds are allocated equally between all ten regions.

b. April/May

On the fifth working day of April, headquarters pulls second quarter planning and accomplishment data from CERCLIS. In April/May, headquarters and the regions discuss regional progress in achieving negotiated targets and regional budget utilization (obligation rates) during mid-year reviews. These discussions provide both headquarters and the regions with an opportunity to assess performance, consider the impact of regional program performance on the Superfund pipeline, and identify trends in program performance and adjust program management strategies accordingly. These meetings also facilitate communications regarding site-specific technical and funding issues as well more general policy and strategic planning questions. Based on these and additional follow-up discussions, headquarters will allocate remaining funds to the regions to ensure program targets are achieved, which, in some cases, may involve a reallocation and shifting of programmatic resources among regions. Enforcement extramural budget carryover amounts are also calculated and the fiscal year regional enforcement budget allocation is finalized. Following the mid-year assessments, OSRTI, FFEO, FFRRO, and OSRE Directors brief the AA OSWER or AA OECA on the steps being taken to ensure the accomplishment of annual targets.

c. September/October/November

Headquarters will pull preliminary end-of-year accomplishments on the fifth working day of September as a starting point for preparing for the end-of-year assessment in November. Since many senior managers and Congress request final accomplishments immediately following the end of the year, headquarters will pull final CERCLIS accomplishment reports for annual performance goals on the fifth working day of October. Headquarters will pull all other regional accomplishment reports on the tenth working day of October and will publicly report these accomplishments in late October to mid-November. This schedule allows regions opportunity to review end-of-year financial data, ensure that all accomplishments are accurately reflected in CERCLIS, and determine when the commitments were met. In addition to reporting accomplishments in CERCLIS, regions must also report annual performance goal accomplishments in the ACS subsystem of BAS.

In November, each Superfund program conducts an end-of-year assessment. This assessment is an integrated analysis of program performance activities for the year. The purpose of the end-of-year assessment is to emphasize pipeline issues (e.g., slipped targets and their impact on commitments for the next year). Missed targets may have resource implications for the next FY. The end-of-year review also notes progress toward implementing strategies identified in the mid-year assessment, and identifies regions that might require additional HQ assistance as the new FY begins.

III.E. REGIONAL/HEADQUARTERS ROLES AND RESPONSIBILITIES

Headquarters and regions have distinct as well as mutual responsibilities to ensure that planning and accomplishment data are well maintained in CERCLIS. Exhibit III.1 describes general headquarters/regional responsibilities for maintaining planning and accomplishment data in CERCLIS, and the following subsections outline roles and responsibilities of individual positions in the regions and headquarters.

EXHIBIT III.1.

REGIONAL/HEADQUARTERS CERCLIS RESPONSIBILITIES

Regional Responsibilities	HQ Responsibilities
<p>Planning and scheduling all actions from site assessment and PRP search through NPL deletion and beyond.</p> <p>Keeping planning and accomplishment data in CERCLIS up-to-date, including updating site schedules established at the ESI/RI stage and cost estimates for remedial actions when better planning data become available.</p> <p>Reporting accomplishments in CERCLIS as they occur.</p> <p>Entering and maintaining quarterly planning, budget, and accomplishment reporting for non-site specific activities.</p> <p>Preparing change requests.</p> <p>Tracking and maintaining the enforcement extramural budget and the Federal facilities programmatic budget.</p> <p>Ensuring there is “objective” evidence to support accomplishment data entered in CERCLIS.</p>	<p>Negotiating final annual performance goals with regions.</p> <p>Determining the RA SA and Pipeline SA allocations.</p> <p>Responding to regional requests for changes in plans through the change requests process.</p> <p>Utilizing CERCLIS to obtain budget and other Superfund site information to respond to special requests for information and planning data.</p> <p>Communicating with regions and HQ offices regarding changes in budget, SCAP process, Superfund Program Implementation Manual, and other program guidance that will affect CERCLIS, and subsequently implementing these changes in CERCLIS.</p> <p>Ensuring there is “objective” evidence to support accomplishment data entered in CERCLIS by performing periodic reviews of a random CERCLIS data sample.</p>

a. Information Management Coordinator

The Information Management Coordinator (IMC) is a senior position which serves as regional lead for all Superfund program and CERCLIS systems management activities. The following lead responsibilities for regional program planning and management rest with the IMC:

- Coordinate program planning, budget development, and reporting activities;
- Ensure regional planning and accomplishments are complete, current, and consistent, and accurately reflected in CERCLIS by working with data sponsors and data owners;
- Provide liaison to HQ on SCAP process and program evaluation issues;
- Coordinate regional evaluations by headquarters;
- Ensure that the quality of CERCLIS data is such that accomplishments and planning data can be accurately retrieved from the system; and,
- Ensure there is “objective” evidence to support accomplishment data entered in CERCLIS. (Objective Evidence Rule: “All transactions must be supported by objective evidence, that is, documentation that a third party could examine and arrive at the same conclusion.”)

b. Budget Coordinator

The Budget Coordinator serves as the regional lead for all Superfund program resource activities. The Budget Coordinator:

- Coordinates the planning, development, and reporting of resources;
- Coordinates the planning and execution of regional priorities;
- Communicates and implements national and regional Superfund budget policies;
- Helps IMC to ensure regional resources associated with accomplishments are complete, current, and consistent, and accurately reflected in CERCLIS; and
- Provides liaison to HQ on program issues.

c. Data Sponsors

Data Sponsors include the senior staff in program offices in headquarters that, along with data owners, are responsible for the quality of data stored in CERCLIS. Data Sponsors:

- Identify data needs;
- Oversee the process of entering data into the system;
- Use data for reporting purposes;
- Conduct focus studies of data entered; (A focus study is where a data sponsor identifies a potential or existing data issue to a data owner (see below), IMC, or other responsible person to determine if a data quality problem exists, and to solve the problem, if applicable. Focus studies can be informal via electronic messages.);
- Provide definitions for data elements;
- Promote consistency across the Superfund program;
- Initiate changes in CERCLIS as the program changes;
- Provide guidance requiring submittal of these data;
- Support the development of requirements for electronic data submission; and
- Ensure there is “objective” evidence to support the accomplishment data entered in CERCLIS through identifying data requirements and check to assure compliance by performing periodic reviews of a random CERCLIS data sample.

d. Data Owners

Both headquarters and the regions are Data Owners. The primary responsibilities of Data Owners are to:

- Enter and maintain data in CERCLIS, and
- Assume responsibility for complete, current, consistent, and accurate data.

e. OSRTI Regional Branches

OSRTI Regional Branches are the primary contacts for regions regarding site-specific issues of all natures and are often the primary conduit to regions for communicating and interpreting national policies. With respect to CERCLIS data, OSRTI Regional Branch staff:

- Measure regional data entry quality and records management quality and assist regions with problems,
- Report data problems to Data Sponsors and responsible teams, and
- Sample data quality and records management quality when visiting regions by tracking selected dates of a transaction in CERCLIS to the corresponding dates of the supporting paper document to ensure there is “objective” evidence to support accomplishment data entered in CERCLIS.

III.F. PROGRAM PERFORMANCE EVALUATION

Superfund program performance evaluations enable management to recognize high performance, concentrate Superfund resources in those regions that demonstrate success, and provide training and technical assistance to those regions that are experiencing difficulties. Evaluations provide managers with an opportunity to meet program objectives by examining program accomplishments, analyzing and discussing issues that affect the successful operation of the Superfund program, and initiating changes in program operations or reallocating/redirecting resources. The strategy for assessing the performance of the Superfund program includes:

- Establishing semi-annual and annual targets and planning measures;
- Quarterly reporting of response, Federal facilities, and enforcement program accomplishments and planning measures through CERCLIS;
- Semi-annual performance evaluation; and
- Regional reviews.

HQ and the regions have different roles and responsibilities in evaluating and managing Superfund program performance, as shown in Exhibit III.2.

**EXHIBIT III.2.
EVALUATION RESPONSIBILITIES**

Regional Responsibilities	HQ Responsibilities
<p>Meet semi-annual program targets and solve performance problems when they arise</p> <p>Provide quarterly accomplishment and planning data to HQ through CERCLIS</p> <p>Maintain CERCLIS data quality at high levels for Superfund program and project management</p> <p>Negotiate performance standards that provide individual accountability for targets</p> <p>Assess federal agency needs identified during the FEDPLAN and OMB Circular A-11 processes</p> <p>Participate in the regional reviews</p>	<p>Provide guidance to the regions for the quarterly reporting, the mid-year assessment, the year-end assessment, and regional reviews</p> <p>Implement and report on follow-up action items from the Superfund mid-year assessment and regional reviews</p> <p>Maintain and update SPIM accomplishment definitions, ensure SCAP logic accurately reflects definitions, and use appropriate CERCLIS data and reports for analysis and reporting of Superfund program progress.</p> <p>Review performance data reported by the regions and assist regions having difficulties in meeting targets</p> <p>Conduct regional reviews</p> <p>Continually assess program performance and analyze timeliness and quality of work</p> <p>Recommend resource reallocation based on regional needs and performance</p> <p>Assure that all staff are informed of results of performance reporting</p> <p>Examine federal agency budget authorities, obligations, and outlays to monitor cleanup activities</p>

III.G. PLANNING/ACCOMPLISHMENT AND MANAGEMENT REPORTING

III.G.1. CERCLIS Reports for Planning/Target Setting and Accomplishment Reporting

The list below presents the primary CERCLIS reports used by headquarters and the regions to establish regional targets/measures and to evaluate and report regional accomplishments.

- **SCAP-02:** The *Site Summary Report* is used by EPA to display enforcement sensitive CERCLIS data for NPL and non-NPL sites.
- **SCAP-04E, SCAP-04F, SCAP-04M, SCAP-04R:** The *Enforcement Financial Report* (SCAP-04E), *Federal Facility Financial Report* (SCAP-04F), *Removal Financial Report* (SCAP-04M), and *Remedial Financial Report* (SCAP-04R) aggregate dollars by program area and provide both site-specific and non-site specific backup from CERCLIS.
- **SCAP-13:** The *Site Assessment Report* is used for reporting site assessment estimates, plans, and accomplishments. The information provided by this report is used in conjunction with the SCAP-14 report to encompass the entire range of targets and measures.
- **SCAP-14, SCAP-14F:** The *Superfund Accomplishments Report* is used to track targeting, planning, and accomplishment actions in support of the Response, Enforcement, and Federal facility programs (SCAP-14F).
- **SCAP-15:** The *GPRA Report* is used to track GPRA performance goals and measures in support of the Response program.

- SCAP-16: The *Reconciliation (SCAP-14 Audit) Report* is used to extract all potential candidates for a SCAP-14 category and provide the user with the ability to determine the way in which the action will be selected or eliminated based on the values or lack of values in the Select Logic columns.
- No Code Name: The *Federal Facility Accomplishments Report* is a subset of the SCAP-14F report. It includes several extra categories concentrating specifically on accomplishments at Federal facility sites (NPL, non-NPL, and BRAC)
- No Code Name: The *Federal Facility Audit Report* lists all of the Federal facility data issues detected in CERCLIS for the selected FY.
- ENFR-3: The *Settlement Master Report* lists all settlements to date. Data are divided by settlement category and summarized by FY, region, and remedy.
- ENFR-07: The *De Minimis Settlement Report* lists all the de minimis settlements including the number of parties.
- ENFR-17: The *Cost Recovery Targeting Report* (ENFR-17) estimates potential targets for cost recovery.
- ENFR-25: *Administrative/Unilateral Orders Issued Report* lists AOs and UAOs that have been issued.
- ENFR-62: *Enforcement Measures of Success Report* (ENFR-62) - This report allows regions to report progress on measures of success relating to enforcement fairness and trust fund stewardship.

III.G.2. Management Reports

Superfund also maintains a set of senior management reports through Superfund eFacts, an internal web-based reporting tool that integrates planning and accomplishment data in CERCLIS with cost data from the Agency's Integrated Financial Management System (IFMS). Superfund eFacts data are updated daily and the senior management reports illustrate the progress being made by the Agency in both the movement of projects through the Superfund pipeline and in the trend toward increased involvement by PRPs. Superfund eFacts provides information on site assessment, Federal facilities, construction completions, annual performance goal accomplishments, and other internal program measures. The data is available in regional, state, or national views. These reports are designed to supplement conventional quarterly accomplishment CERCLIS reports by providing a more comprehensive examination of program activity, and the format and content of the reports have evolved over time to address a variety of project needs, providing EPA senior managers with summary graphic reports and backup site detail information.

Additional management reports produced by OSRE include:

- ENFR-17: The *Cost Recovery Targeting Report* estimates potential targets for cost recovery.
- ENFR-22: The *ROD Amendment and RD/RA Negotiations Report* is used to track RD/RA negotiation progress. The report is categorized into RD/RA negotiations started from signed ROD and No RD/RA negotiations started from signed ROD.
- ENFR-11: The *Ongoing RD/RA Negotiations Timeline* is used to track the duration of ongoing RD/RA negotiations. The report shows categories of duration (e.g., between 60 and 120 days).

Additional management reports produced by FFRRO include:

- No Code Name: The *Federal Facility Five Year Review Status Report* lists the status of all the planned and completed Federal facility Five Year Reviews.
- No Code Name: The *Federal Facility FOST/FOSL/EBS Report* lists the Environmental Baseline Survey (EBS) completion date and all of the Findings of Suitability to Transfer (FOST), Findings of Suitability to Lease (FOSL) and Findings of Suitability to Early Transfer (FOSET) that EPA has concurred on in the selected FY.
- No Code Name: The *Federal Facilities Site Summary Report* summarizes all the actions, EBSs, FOSTs, FOSLs, FOSETs and Supplemental, Environmental Projects (SEPs) for the entire history of all the Federal facilities in the selected region(s).

III.H. TARGET SETTING AND DEFINITION CHANGE REQUESTS

III.H.1. Setting Targets in CERCLIS

Once workplanning sessions are completed, regions use the Planning Estimates/Targets screen in CERCLIS to record final accomplishment targets. Once changes have been made and final targets/planning estimates are reviewed by headquarters, headquarters will “lock out” regions (i.e., regions will not be able to make any changes to these numbers). This final number is shown in red on the Accomplishments Tracking screen as the Planning Estimates/Target number. During the FY if changes have been made to the number of target commitments approved, HQ will “unlock” the target numbers allowing the region to make the approved change(s), then “relock” the screens.

Most targets are non-site-specific estimates of the number of accomplishments of an activity a region will achieve. However, in a few instances, regions must set targets site-specifically. Changes to sites identified as targets for the latter three measures require headquarters approval:

- Pipeline Site Allowance (SA) targets (Fund RI/FS, Fund RD, PRP RI/FS, PRP RD, PRP RA),
- Five-Year Reviews (site substitutions are not allowed and sites targeted for five year reviews must be completed by the “due date” (planned completion date) established for each site),
- Cost recovery actions at sites with potential statute of limitations (SOLs) so that they will be addressed prior to the expiration of the SOL,
- *de minimis* settlements, and
- PRP Oversight Administration for each enforcement agreement.

III.H.2. CERCLIS Target Change Requests

After targets have been finalized and funding levels developed, regions have some flexibility to modify plans during the year. Modifications to planned annual performance goals are termed change requests. Regional requests for changes to targets established in the annual plan must be forwarded in writing from the regional division director to HQ OEM, OSRTI, OECA, or FFRRO office directors, as applicable, when the region is unable to meet a target. OCFO is responsible for issuing guidance for changing targets related to annual performance goals that are entered into ACS, and this process is not addressed in this manual.

Any exceptions to the accomplishment definitions contained in the Appendices to this Manual are considered target definition changes. Regions also should note that changes made in CERCLIS to site schedules and other planning data will not automatically result in changes to targets.

Although regions have the flexibility to alter plans, they are still accountable for meeting the targets established at the beginning of the FY. Changes to commitments should not be made simply because targets will not be met. Regions should discuss with headquarters during the mid-year reviews any issues that may affect the meeting of negotiated annual targets. Target changes may result in a modification in a region’s resource allocation within a given Site Allowance.

In some cases, however, changes to targets may be necessary and may be revised under the following conditions:

- Major, unforeseen contingencies arise that alter established priorities (e.g., Congressional action, natural disasters);
- Major contingencies arise to alter established regional commitments (e.g., state legislative action);
- Measure or definition in system is creating an unanticipated negative impact;
- Major shifts in project approach; or
- Need to address newly identified site which represents a significant human health or ecological risk.

OSRTI, OECA, and FFRRO require that all target and definition changes be submitted to headquarters no later than July. Optimally, such requests should be submitted during discussions with headquarters during mid-year reviews.

Regions should not initiate any obligations against change requests until the director of the appropriate office approves the change. The site back-up in CERCLIS should be revised by the region if the change is approved.

Under the Superfund Pipeline SA allocation methodology, regions are allocated resources based in part on their targets for specific actions at specific sites. Because of this approach, regions have flexibility to alter their plans regarding at which sites they conduct work, but they may not change the overall numerical target within each action category once the Pipeline SA resources are distributed among the regions. The extent to which a region meets or exceeds its target will have funding implications in the next year's distribution of Pipeline SA resources.

III.I. SPECIAL REPORTING TOPICS

III.I.1. Base Realignment and Closure Facilities

To sustain and streamline military readiness, the Department of Defense (DoD) recognized the need to close or realign some installations and redefine the Department's mission at others. Congress agreed on five rounds of BRAC actions in 1988, 1991, 1993, 1995, and 2005. EPA provides assistance to DoD at particular installations closed or realigned pursuant to a base closure law that require some level of environmental cleanup and the transfer of excess property. EPA regions are required to report on several activities that are conducted at BRAC installations in support of cleanup and property reuse (see Appendix D). CERCLIS has been modified to include these items. Additional information about EPA's BRAC Program can be found at:

<http://www.epa.gov/fedfac/documents/baseclosure.htm>

III.I.2. Mega-Sites

Generally, a site is considered to be a mega-site if the combined extramural, actual and planned, removal and remedial action costs incurred by Superfund or by PRPs are greater than \$50 million. The mega-site designation may be applied to any Federal or non-Federal facility NPL or non-NPL site. For the purposes of reporting in CERCLIS, a site is defined as a mega-site (MS) if:

- the cumulative value of the extramural capital costs of all selected remedies (as expressed in decision documents such as RODs, ROD amendments, or action memoranda) exceeds \$50 million; OR
- the cumulative estimated value of all PRP or Federal facility actual and expected extramural capital costs (as memorialized in documents such as settlements, orders, or MOAs) for removal or remedial action response activities (excluding long-term response) at the site exceeds \$50 million; OR
- the cumulative value of net actual extramural obligations for fund-financed removal and remedial actions (excluding LTRA) at the site exceeds \$50 million; OR
- the cumulative estimated value of post-ROD (or post-action memorandum), removal, and remedial action obligations (excluding LTRA) planned in CERCLIS for the selected remedies at the site exceeds \$50 million; OR
- the cumulative value of any combination of the above costs exceeds \$50 million.

A site is defined as a potential mega-site (MP) if the region, using its best judgment, expects that the total costs of removal and remedial actions will exceed \$50 million, but the documentation of actual or expected costs (e.g., through decision or settlement documents or actual obligations) does not currently exist. Once such documentation is developed, the site should be reclassified as MS. Conversely, if new information suggests that the

site is not a mega-site, the designation of MP or MS should be removed. During annual workplanning discussions between regions and headquarters, the regions will confirm these designations on a site-specific basis.

III.J. GENERAL DATA REQUIREMENTS/PROTOCOLS

The following section discusses some general data requirements/protocols that affect CERCLIS planning and accomplishment data of the various Superfund offices.

III.J.1. Change Control Requirements for this Manual

Process stability through the year is essential to the success of planning and accomplishment reporting/evaluation procedures. The following procedures are used to control changes to items in this manual:

- Changes (including additions or deletions) to targets, measures, definitions, methodologies, planning processes, accomplishment reporting, financial management, or any other OSWER/OECA process described in this manual must be presented to the division director by the program office proposing the change, and receive the comments/concurrence of OEM, OSRE, OSRTI, FFRRO, and FFEO,
- All proposed changes must be sent to the regions and all other program offices for review and comment prior to implementation, and
- The decision on whether to proceed with the proposed change must be documented in writing. Copies of all final decisions should be provided to all program offices and regions. If the proposed change will be implemented, an addendum to the Superfund Program Implementation Manual may be issued.

III.J.2. Data Lockout on Historical Accomplishments

CERCLIS has a historical accomplishment lockout feature that logs and controls changes to Superfund data sensitive to congressional inquiry. This feature uses the Accomplishment Change Log Screen and reports that list all changes that have been made to historical accomplishments data. A regional manager for Superfund shall approve either in writing, or using the management review function in CERCLIS, each data change made by a region to locked historical data. Only regional IMCs, individuals designated by the IMC, and remedial project managers (RPMs) shall have access/authority to change/add/delete their own region's data via a CERCLIS Smart Screen once written approval has been received. All other regional personnel will be denied access to the change system. Written approval documents or records of approval via CERCLIS management review must be maintained by the IMC for the duration of the life cycle of the data changed (up to seven years).

In regions that use *Management Review*, RPMs will be able to make changes to prior year accomplishment data via the Accomplishment Change Log Screen. All changes made by RPMs will, however, need to be approved by the Regional Manager Reviewer.

Each region will establish a policy or procedure to ensure that the appropriate people have knowledge of and approve of the change. All approval documents must bear a System Generated Reference Number or Document Number.

III.J.3. Data Validation and Verification

GPRA requires that an agency address its verification and validation procedures for performance data in the annual performance plan. CERCLIS data verification and validation procedures were incorporated as part of the Superfund program's submission to the EPA's annual performance plan.

A key component of CERCLIS verification/validation procedures is the regional CERCLIS Data Entry Internal Control Plan. The control plans include: (1) regional policies and procedures for entering data into CERCLIS, (2) a review process to ensure that all Superfund accomplishments are supported by source documentation, (3) delegation of authorities for approval of data input into CERCLIS, and (4) procedures to ensure that reported accomplishments meet accomplishment definitions. In addition, regions documented in their control plans the roles and responsibilities of key regional employees responsible for CERCLIS data (e.g., regional project manager, information management coordinator, supervisor, etc.), and the processes to assure that CERCLIS data are current, complete, consistent, and accurate.

With the increased emphasis on verifiable and validated data by GPRA, the program offices are requesting that the regions review their current CERCLIS Data Entry Internal Control Plans and update their control plans according to the requirements listed above.

In addition, regions are required to submit to their regional Superfund Records Center the document that constitutes or justifies an accomplishment date (actual start or actual complete) recorded in CERCLIS. (Documentation requirements for these dates can be found in the Appendices to this Manual in the "Definition of Accomplishment" section of the applicable target or measure.) When submitting the documentation to its record center, the region should provide the target/measure category and the CERCLIS Operable Unit (OU)/action name/sequence number. The regional Records Center is to include these SCAP data with the document index data, and provide the document index number from its tracking system for entry into CERCLIS associated with the applicable accomplishment date.

III.J.4. Action Lead Codes

Action lead codes identify the entity performing the work at the site. Exhibit III.3 shows the valid project/action lead codes in CERCLIS.

A lead code must be placed in CERCLIS for all actions. Only the leads that are valid for the chosen action can be entered. Leads are not required for subactions. Regions have the ability to code the lead for project support activities (e.g., community relations, support agency assistance, etc.) based on regional preference. All enforcement actions (e.g., orders, decrees, PRP searches, etc.) performed by EPA should have a lead of "FE" (federal enforcement). All enforcement actions conducted by the state should have a lead of "SE" (state enforcement). CERCLIS should not contain planned obligations for projects with "SR" or "SN" leads. No funds will be provided for activities with these leads.

The Agency acknowledges that states can and have assumed the lead role in reaching an agreement with the PRPs for response activities at NPL sites without negotiating a cooperative agreement or other formal agreement with EPA (SR-lead). However, the NCP has determined that in the absence of a formal agreement the state will not be officially recognized as the "lead agency" for the project and EPA will not concur on the remedy selected.

EXHIBIT III.3. ACTION LEAD CODES IN CERCLIS

Lead	Definition
F	Fund-financed response actions performed by EPA (applies to response actions)
RP	PRP- financed response actions performed by the PRP under a federal order/ CD (applies to response actions)
S	Fund- financed response actions performed by a state. Money provided through a cooperative agreement (CA) (applies to response actions)
PS	PRP-financed response actions performed by PRP under a state order/ CD with PRP oversight paid for or conducted by EPA through an EPA CA with the state, or, if oversight is not funded by EPA, a state Superfund Memorandum of Agreement (SMOA) or other formal document between EPA and the state exists which allows EPA review of PRP deliverables (applies to response actions)
SN	State-financed (no Fund dollars) response actions performed by the state (applies to response actions)
SR	PRP response under a state order/ CD where no EPA oversight support or money is provided through a CA and no other formal agreement exists between EPA and the state (applies to response actions)
CG	Work performed by the Coast Guard - Limited to removals (applies to response actions)
MR	Work performed by PRP under a federal CD with an agreement that the Fund will provide some reimbursement to the PRP (preauthorization for mixed work).
SE	Enforcement actions performed by a state. Money provided through a CA or, if not funded by EPA, a comparable enforcement document exists (applies to RODs and enforcement actions)
FE	Enforcement actions performed by EPA or work done by enforcement program at private or Federal facilities sites (applies to RODs and enforcement actions). Historically (pre-FY 89) applied to RI/FS and RD response actions.
EP	Response actions performed by EPA using in-house resources
FF	Response actions performed by the Federal facility with oversight provided by EPA and/or the state/tribe at sites designated as Federal facilities (also applies to RODs at Federal facilities)
TR	Indian Tribal Governments
CO	Community Organization (only valid for community involvement activities)
SD	State Deferral is a PRP- or state-financed response action at a non-NPL or proposed NPL site overseen or conducted by the state pursuant to a deferral agreement with the region.
SC	State ROD with EPA concurrence
SW	State ROD without EPA concurrence
SA	PRP-financed actions from a special account performed by EPA, where the majority ^a of funding is disbursed from a special account (applies to response actions).
SG	PRP - financed actions from a special account performed by the United States Coast Guard, where the majority ¹ of funding is disbursed from a special account - Limited to removals (applies to response actions).
ST	PRP-financed actions from a special account performed by tribal governments, where the majority ¹ of funding is disbursed from a special account (applies to response actions)
SS	PRP-financed actions from a special account performed by a state, where the majority ¹ of funding is disbursed from a special account. Money provided through a cooperative agreement (CA) (applies to response actions)

^a Majority is defined to mean that the contribution from the special account for the total response cost (including direct and indirect costs) would meet or exceed the amount contributed by the largest non-PRP entity (i.e., EPA or state, where applicable). For example, for a remedial action, based on the total estimated response cost, if 50% of that cost is derived from a special account, and 45% of the response cost is paid for out of Fund monies, and the state pays the remaining 5% share of the response cost, the majority of the response cost is being paid out of the special account. The appropriate use of special account funds is provided in the "Guidance on Key Decision Points in Using Special Account Funds" dated September 28, 2001.

III.J.5. Lead Changes

A takeover or lead change occurs when the entity performing a response action changes after the action has started and credit has been given. Typically, this occurs when a settlement with the PRP is reached after the action has started. It may also occur when the Fund assumes an RP-lead project because of non-compliance with an administrative order (AO) or consent decree (CD).

In order to avoid delays resulting from PRPs assuming the lead during a discrete phase of the project (a takeover), a policy has been established that limits lead changes from EPA to PRPs in the middle of a phase of the Superfund process, except in situations where the change will not cause undue delays (OSWER Directive 9800.1-01, *Limiting Lead Transfers to Private Parties During Discrete Phases of the Remedial Process*, November 14, 1991). The policy applies to lead changes from EPA to PRPs only, not EPA takeovers of PRP work or lead changes involving states.

It is expected that many of the early site assessment activities will be Fund-lead. However, response lead changes (i.e., changeovers) can occur at any of the following points in the process:

- Prior to development of an EE/CA for an NTC removal action;
- Prior to the ESI/RI or RI/FS;
- Prior to the FS if the RI and FS are being done separately;
- After the ROD is signed and prior to beginning the RD or RA; or
- Prior to RA contract solicitation, when funding the RA would have significant implications for the Fund and when no significant delays will occur.

When circumstances warrant passing the lead to PRPs during a phase of cleanup, steps should be taken to minimize potential causes of delay. For example, if PRPs assume the lead during the RI/FS, they should be given a limit of 60 days to enter into an administrative order on consent (AOC) for performing the work.

If a PRP is allowed to take over a response action after dollars have been obligated, the region should retain the funds needed for oversight of the entire PRP action and deobligate the rest. Funds that are deobligated may be recertified to the region's RA SA or Pipeline SA pursuant to the Agency's deobligation policy.

When dollars were originally obligated for Fund-financed actions and a takeover occurs, regions will have to request a change in the account number through their regional Financial Management Office (FMO). The action code within the account number changes if the Agency is acting in an oversight role as opposed to performing the response action.

RP-lead projects that are deficient or where the PRPs are recalcitrant may be addressed by the response program. If the project requires substantial Fund involvement to correct, it should be coded as a takeover in CERCLIS.

If a takeover of an action does occur, a new action must be created in CERCLIS. A takeover does not create a new OU. The completion date of the original action must be the same as the start date of the new action. Takeover/Phased Indicators must be entered with both actions. The "Original Action Takeover (TO)" indicator is used to flag the original action which has the change in lead, whereas a "New Action Resulting from Takeover (TN)" indicator is used to flag the new action.

On rare occasions, an action that has been taken over requires an additional lead change. For example, EPA reaches settlement with the PRPs after a Fund-financed action has begun. After the PRPs start work, EPA experiences problems with the PRPs in meeting deadlines or in the quality of the work. As a result, EPA makes a decision to take over the PRP- financed action. The steps to be taken to indicate this scenario in CERCLIS are as follows:

- 1) A new action is added to CERCLIS at the same OU. In our example, a new combined RI/FS with an 'F'-lead would be added.
- 2) The start date of this new action is the date of the takeover.
- 3) A Takeover/Phased Indicator of "New Action Resulting from Takeover (TN)" is entered with the new action.
- 4) The completion date of the latest action that was taken over is the same as the start date of the new action (date of the takeover).
- 5) The Takeover/Phased Indicator of the latest action that was taken over is changed from a "New Action Resulting from Takeover (TN)" to a "Takeover of an Action Taken Over (TT)."

Exhibit II.4 provides an example of the CERCLIS coding. In this situation, no changes are made to the original action.

EXHIBIT III.4. CODING OF TAKEOVERS

Action Takeover							
OU	Action Name	Seq.	Lead	Actual Start	Actual Comp	Takeover/ Phased Indicator	Comments
01	Combined RI/FS	1	F	8/1/97	9/1/97	TO	Fund-financed action being taken over by PRPs
01	PRP RI/FS	1	RP	9/1/97	12/1/97	TT	PRP action initiated and taken over by Fund
01	Combined RI/FS	2	F	12/1/97		TN	Fund-financed action initiated

III.J.5. Anomalies and Phased Projects

Anomalies are those projects that do not fit the normal definitions of pipeline actions. Anomalies can be those projects that 1) do not receive SCAP credit, but still need to be tracked or 2) occur out of the ordinary pipeline progression.

An example of a SCAP anomaly occurs when different entities conduct FS work simultaneously that leads to a single ROD. Since it is inconsistent to give credit for more FS starts than completions (the Agency would have to explain why FS work is not leading to a ROD), only one FS can receive credit for a start and completion. These projects are coded under the same OU with multiple sequence numbers and those FSs that will not receive credit are given a Takeover/Phased Indicator of "Other Start and Completion Anomaly (OA)."

At the RD and RA or FF RD and FF RA stages, a project may be phased or time-sequenced to accelerate the cleanup effort. Phasing is complementary to OUs. Whereas OUs break large, complex projects into smaller, more manageable work elements, phasing is a method to accelerate the implementation of the OUs. Phasing manipulates the internal steps required to complete each OU, thereby optimizing the overall schedule, for example, an RA or FF RA that requires site clearing prior to constructing an incinerator. The clearing would be one phase of the RA or FF RA, while the construction of the incinerator would be a second phase.

Regions enter a separate RA or FF RA for each phase. Phases of each response action are shown in CERCLIS by the use of the Takeover/Phased Indicators of “Phased Start (PS)” and “Phased Complete (PC)” or “Phased Start and Completion (PB)” (See Exhibit III.5). Funding required for each of the phases is tracked against the phase. However, the duration of the project is calculated from the date the first phase started to the date the last phase is completed.

**EXHIBIT III.5.
REMEDIAL EVENTS, ANOMALIES, AND PROJECT PHASING**

OU	Action Name	Seq.	Lead	Plan Start	Plan Comp	Takeover/ Phased Indicator	Comments
01	PRP RI/FS	1	RP	96/2	98/3		
01	PRP FS	1	RP	97/3	98/3	OA	No Credit for Start or Completion
01	PRP FS	2	RP	97/3	98/3	OA	No Credit for Start or Completion
01	R01	1	FE		98/3		
	AN01						
01	RD1		RP	99/1	00/2	PC	PHASE I
01	RD2		RP	99/2	00/3	PS	PHASE II
01	RA1		RP	00/3	01/1	PC	PHASE I
01	RA2		RP	00/3	04/1	PS	PHASE II

III.K. CERCLIS REPORT CONTACTS AND SUBJECT MATTER EXPERTS

Exhibit III.6 identifies all CERCLIS (SCAP) report contacts. Exhibit III.7 identifies the subject matter experts for program planning and reporting requirements.

**EXHIBIT III.6. SCAP REPORT CONTACTS
(Reports Owner: R White)**

Designation	Title	Report/Data Owner
SCAP-2/11/12	Site Summary Report/FOIA	Robert White, (703) 603-8873 Dave Reynolds, (703) 603-8895
SCAP-4E	Enforcement Financial Summary (OECA/OSRE maintains this report)	Alice Ludington, (202) 564-6066
SCAP-4F	Federal Facility Financial Summary	Marie Bell, (703) 603-0050
SCAP-4R	Response Financial Summary Report	Alan Youkeles, (703) 603-8784
SCAP-13	Site Assessment Report	Randy Hippen, (703) 603-8829
SCAP-14	The Superfund Accomplishments Report	Robert White, (703) 603-8873 Brendan Roache, (703) 603-8704 Armando Santiago, (202) 564-8002 Eric French, (202) 564-0074
SCAP-15	GPRA Report	Janet Weiner, (703) 603-8717
SCAP-16	Reconciliation SCAP 14 Audit Report	Robert White, (703) 603-8873

EXHIBIT III.7. SUBJECT MATTER EXPERTS

Subject Matter Experts	Subject Area	Phone #	Email
Alan Youkeles	Chapter 2 Lead / Cost Information/ OSRTI Budget Execution	(703) 603-8784	youkeles.alan@epa.gov
Art Flaks	Budget Planning & Evaluation	(703) 603-9008	flaks.art@epa.gov
<u>Amy Vandenburg</u>	eFacts	(703) 603- <u>9028</u>	vandenburg.amy@epa.gov
Dana Stalcup	Emergency Management	(202) 564-2089	stalcup.dana@epa.gov
Alice Ludington	Enforcement	(202) 564-6066	ludington.alice@epa.gov
Marie Bell	Federal Facility Budget Execution	(703) 603-0050	bell.marie@epa.gov
Tencil Coffee	Federal Facility Budget Planning	(703) 603-0053	coffee.tencil@epa.gov
Brendan Roache	Federal Facility Response	(703) 603-8704	roache.brendan@epa.gov
Janet Weiner	OSRTI /GPRA	(703) 603-8717	weiner.janet@epa.gov
Julie Roemele	OSRTI Workplanning	(703) 603-9097	roemele.julie@epa.gov
Melanie Hoff	Program Evaluation	(703) 603-8808	hoff.melanie@epa.gov
Rich Norris	Program Planning/EI	(703) 603-9053	norris.rich@epa.gov
Charlotte Englert	Removal	(202) 564-8888	englert.charlotte@epa.gov
William Finan	Removal	(202) 564-7981	finan.william@epa.gov
Armando Santiago	Removal	(202) 564-8002	santiago.armando@epa.gov
Joan Harrigan-Farrelly	Resource Management	(703) 603-8914	harrigan-farrelly.joan@epa.gov
RobinM Anderson	RODs/Remedy Selection	(703) 603-8747	anderson.robinm@epa.gov
<u>Steven Chang</u>	<u>RODs/Remedy Selection</u>	<u>(703) 603-9017</u>	chang.steven@epa.gov
Charles Sands	RODs/Remedy Selection	(703) 603-8857	sands.charles@epa.gov
Robert White	SCAP Reports Owner	(703) 603-8873	white.robert@epa.gov
Chip Love	Workplanning	(703) 603-0695	love.chip@epa.gov

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